

The claims are in compliance with 35USC112, first paragraph. The claims do not recite "multi/shuffled" and we do not know precisely what such a limitation would entail. The claims require SEQ ID NO:2 or recited fragments thereof and, as the claims are in "comprising" format, these required sequences may be covalently coupled to other sequences. The invention relates to recombinantly expressed polypeptides. Expressing targeted polypeptides as portions of larger proteins or covalently linked to additional residues is well within the purview of those in the art, is as old and common as recombinant protein expression itself, and is exemplified throughout the specification with the required polypeptides, e.g. p.5, lines 21-22; p.11, line 31 - p.12, line 2; p.12, line 31-32, etc. Because we are uncertain exactly from where the "multi/shuffled" limitation is coming, we have attempted to clarify the foregoing claim scope by using the more familiar "markush group" transitional language.

Claim 11 is in compliance with 35USC112, second paragraph. Independent claim 10 requires one of three enumerated (a - c) elements. Claim 11 is dependent on claim 10 and provides an additional limitation; namely, that the polypeptide further comprise a recited peptide sequence. There is no requirement in claim 11 that this sequence be contained in any particular portion of the polypeptide, including any of the (a - c) elements required by claim 10. Furthermore, we do not see any basis for which one would make such an inference. Absent reading a nonexistent limitation into the claim, the metes and bounds of the claim are unambiguous.

Applicants hereby petition for any necessary extension of time pursuant to 37 CFR 1.136(a). The Commissioner is hereby authorized to charge any other fees or credit any overcharges associated with this communication to our Deposit Account No.19-0750 (order no. EX98-001).

Respectfully submitted,  
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